



Common questions about the proposal to revise state shoreland zoning standards

July 2005

This fact sheet is designed to help waterfront property owners and other people who enjoy Wisconsin lakes and streams understand the proposed revisions to the state shoreland zoning standards (NR 115). The fact sheet is divided into four sections that address general background, hard surfaces, shoreland vegetation and nonconforming structures.

General background

What are shorelands and why are they important?

Shorelands are lands that are within 1000 feet of a lake, pond or flowage, and land within 300 feet of the floodplain of a river or stream. Development and land disturbing activities in shorelands directly affect the quality of our lakes and streams.

Why revise the current state shoreland zoning standards?

In the late 1960's, Wisconsin adopted shoreland zoning standards to help protect the water quality in our lakes and rivers, preserve shoreland vegetation, provide habitat for fish and wildlife, and preserve the natural scenic beauty along our waterways.

It is no surprise that in the last 40 years since these standards were implemented, the type of development on our lakes and rivers has changed significantly from small cottages to large homes. Recent studies have found that the minimum shoreland zoning standards from the 1960's are inadequate to prevent water pollution, shoreline erosion, and the loss of fish and wildlife habitat. As a result, the goals of revising the shoreland zoning standards are to introduce flexibility for property owners while effectively protecting our lakes and streams.

Counties, cities, villages and towns may adopt shoreland zoning standards that are more protective than the state standards.

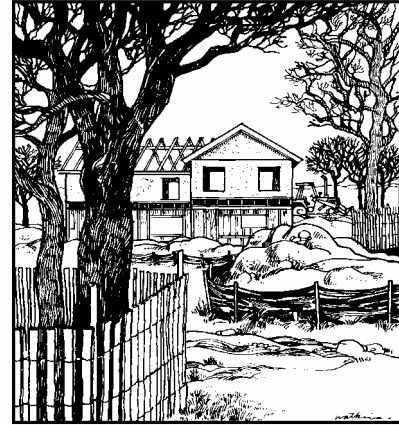
Hard surfaces

Driveways, rooftops, patios and other hard surfaces are known as impervious surfaces. An increase in the amount of impervious surface prevents water from soaking into the ground and increases the amount of stormwater runoff. More runoff causes: erosion and degraded streams, increased soil and pollutants entering water, increased algae growth, and fewer fish and insect species. When the impervious surface of the area draining to a stream exceeds 10-15% there are serious negative impacts on water quality and wildlife.



We would like to expand our home, outbuildings or driveway. How will the changes affect us?

If you construct additional hard surfaces you will need to implement and maintain best management practices that result in no increase in storm water discharge from the parcel as a result of the construction. If your construction results in more than 20% of the parcel being covered by hard surfaces, you will need to maintain or establish shoreland buffers as described in the next section. See the section about 'nonconforming structures' below for information about expanding structures close to the water.



Shoreland vegetation

Natural shoreland vegetation (trees, shrubs and ground cover) allows water to soak into the ground, decreasing and filtering stormwater runoff carrying fertilizers, pesticides and other pollutants to lakes and streams and reducing erosion and sedimentation. Food and shelter for fish, birds and wildlife are provided by the same natural shoreland vegetation that offers beautiful shorelines.

How does this affect our lawn? Will we have to replace our lawn with a natural buffer?

All current lawns and landscaping can stay as they are unless you make one of the following changes:

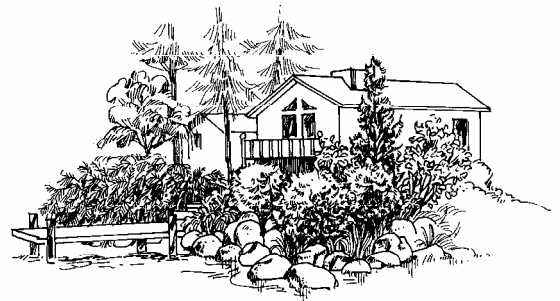
- build a new home or principal structure;¹
- build additional hard surfaces like rooftops or driveways so that more than 20% of the lot is covered with hard surfaces;¹ or
- structurally alter, replace or expand a house that is close to the water.

We want to build a new house on our waterfront lot now because we want to retire there. Will this rule make us get rid of our lawn?

When you build a new home on a shoreland lot, you will need to establish native shoreland vegetation in the 35 foot strip next to the water to filter the runoff from the roof and protect water quality. You may allow a path or walking area, also known as an access corridor, in the buffer down to the shore.

Nonconforming structures

Structures that are located closer than the 75 feet ordinary high water mark setback have the greatest potential impact on the water quality of a lake or river. Runoff from these structures quickly carries nutrients and sediments into the water body, with very little shoreland buffer area to help filter contaminants out.



If our home burns down, will we be able to rebuild it?

You can rebuild any home damaged or destroyed by violent wind, vandalism, fire or flood just as it was prior to the event.

We need to remodel our house, not expand it, just remodel the interior. Before we couldn't do what we wanted because it would go over the "50% rule." Can we remodel now?

¹ Buffer is only required if parcel that includes land within 75' of the ordinary high-water mark

Yes. All homes can be maintained and improved with interior remodeling, new windows, doors, siding, insulation, electrical, plumbing and roofs.

We would like to expand our home. How will the changes affect us?

- Homes set back further from the water will be allowed greater expansion than homes closer to the water.
 - If your home is located more than 75 feet from the water, you can expand it any direction, however, you cannot encroach into the 75 foot setback.
 - If your home is located between 35 and 75 feet from the water and your lot is at least 7000 square feet, Appendix A of the proposal describes how large the footprint of the home within 75 feet of the shoreline can be.
- If you choose to expand your home and it is less than 75 feet from the water, you will need to maintain or establish practices to protect water quality and wildlife habitat in exchange for the expansion.

What are mitigation practices?

Mitigation practices allow development flexibility in exchange for environmental stewardship practices. Because shoreland development causes adverse environmental impacts like water pollution and reduced wildlife habitat, mitigation is designed to compensate for these impacts.

If you decide to structurally alter, replace or expand a home less than 75 feet from the ordinary high water mark, required mitigation practices will include:

- preservation or restoration of the primary buffer,
- inspection of the septic system, and upgrading if necessary,
- management of stormwater runoff from impervious surfaces to promote infiltration
- erosion control, and
- removal of accessory structures within 75 feet of the ordinary high water mark (if required by the county).

Schedule of Public Hearings

July 12 – Eau Claire – Chippewa Valley Technical College – 620 Clairemont Avenue, Eau Claire, WI 54701

July 13 – Ashland – Wisconsin Indianhead Technical College – 2100 Beaser Avenue, Ashland, WI 54806

July 14 – Egg Harbor – Landmark Resort Egg Harbor Room – 7643 Hillside Road, Egg Harbor, WI 54209

July 19 – LaCrosse – Western WI Technical College – 304 6th Street North, La Crosse, WI 54601

July 21 – Stevens Point – Sentry World Theater – 1800 North Point Drive, Stevens Point, WI 54448

July 20 – Hayward – Grand Pines Resort Whispering Pines Room – 12355 W. Richardson Bay Road, Hayward, WI 54843

July 26 – West Bend – UW Washington County – 400 University Drive, West Bend, WI 53095

July 27 – Grand Chute – Town Hall – 1900 Grand Chute Boulevard, Grand Chute WI

July 28 – Rhinelander – Holiday Inn Express – 668 West Kemp Street, Rhinelander, WI 54501

August 2 – Delavan – Lake Lawn Resort – 2400 East Geneva Street, Delevan, WI 53115

August 4 – Madison area – Fitchburg Community Center Oak Hall Room – 5520 Lacy Road, Fitchburg, WI 53711

All public hearings will begin at 4:30 with a brief presentation and question and answer session followed by a 6:00 public hearing where testimony will be taken for public comments.



What do YOU think? DNR is seeking your input on the proposal to amend NR 115. Several options have been developed to solicit public comments;

- **Send** comments over the internet at <http://dnr.wi.gov/org/water/wm/dsfm/shore/news.htm> or adminrules.wisconsin.gov
- **Testify** at a public hearing
- **Mail** your written comments to Toni Herkert, Bureau of Watershed Management P.O. Box 7921 Madison, WI 53707

Comments accepted through August 26, 2005